

**§ 52.1784 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?**

(a)(1) The owner and operator of each source located within the State of North Carolina and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Annual Trading Program in subparts AA through II of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the North Carolina State Implementation Plan (SIP) as meeting the requirements of CAIR for PM<sub>2.5</sub> relating to NO<sub>x</sub> under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO<sub>x</sub> allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO<sub>x</sub> allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO<sub>x</sub> allowances for those years.

(b)(1) The owner and operator of each NO<sub>x</sub> source located within the State of North Carolina and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Ozone Season Trading Program in subparts AAAA through IIII of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the North Carolina State Implementation Plan (SIP) as meeting the requirements of CAIR for ozone relating to NO<sub>x</sub> under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(ee) of this chapter.

(2) Notwithstanding any provisions of paragraph (b)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO<sub>x</sub> Ozone Season allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO<sub>x</sub> Ozone Season allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO<sub>x</sub> Ozone Season allowances for those years.

[72 FR 62352, Nov. 2, 2007]

**§ 52.1785 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?**

The owner and operator of each SO<sub>2</sub> source located within the State of North Carolina and for which requirements are set forth under the Federal CAIR SO<sub>2</sub> Trading Program in subparts AAA through III of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the North Carolina State Implementation Plan as meeting the requirements of CAIR for PM<sub>2.5</sub> relating to SO<sub>2</sub> under § 51.124 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.124(r) of this chapter.

[72 FR 62353, Nov. 2, 2007]

**Subpart JJ—North Dakota**

**§ 52.1820 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for North Dakota under section 110 of the Clean Air Act, 42 U.S.C. 7410 and 40 CFR part 51 to meet national ambient air quality standards or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c), (d), and (e) of this section with an EPA approval date prior to July 31, 2006, was